

MELINDA HAAG (CABN 132612)
United States Attorney

MIRANDA KANE (CABN 150630)
Chief, Criminal Division

JOHN H. HEMANN (CABN 165823)
Assistant United States Attorney

450 Golden Gate Ave., Box 36055
San Francisco, California 94102
Telephone: (415) 436-7200
Fax: (415) 436-7234
E-Mail: john.hemann@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

TROY CHATTARIYANGKUL,

Defendant.

No. 3-12-71281-MAG

STIPULATION AND ~~PROPOSED~~
ORDER EXTENDING TIME PURSUANT
TO FED. R. CRIM. P. 5.1 AND 18 U.S.C.
§ 3161(h)

The parties, by and through counsel, stipulate and agree as follows:

1. The time limits in Fed. R. Crim. P. 5.1(c) shall be extended to and until February 5, 2013, and the hearing scheduled for January 16, 2013, vacated.

2. Counsel for the United States and the defendant wish to exchange certain information, and to meet and confer prior to the time of Indictment to discuss a potential resolution of the case. Counsel for the defendant believes based on the charge alleged in the Complaint that it is in the best interest of the defendant to obtain further information, consult with the defendant, and meet with the government prior to Indictment; counsel for the government believes that it is in the interests of justice to do so. In addition, counsel for the defendant will be unavailable for

1 medical reasons from January 11, 2013, through January 25, 2013. The parties agree that
2 extending the time limits of Rule 5.1 serves the ends of justice and outweighs the interests of the
3 public and the defendant in a speedy trial, and that failing to extend the time limits would deny
4 counsel for the government and the defendant the reasonable time necessary for effective
5 preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7).

6 3. The hearing scheduled for January 16, 2013, for defendant Chattariyangkul should be
7 vacated. The next court appearance in this case shall be February 5, 2013, at 9:30 am
8 before the duty magistrate in San Francisco, for preliminary hearing or indictment. The parties
9 may seek further extension of the time limits in Rule 5.1(c) by stipulation.

10 SO STIPULATED AND AGREED,

11
12 DATED: MELINDA HAAG
United States Attorney

13 /s/

14
15 JOHN H. HEMANN
Assistant United States Attorney

16
17 /s/
18 DATED: GAIL SHIFMAN
19 Counsel for Troy Chattariyangkul

20 ~~PROPOSED~~ ORDER

21 Pursuant to stipulation, Fed. R. Crim. P. 5.1, and 18 U.S.C. § 3161(h)(7), IT IS SO
22 ORDERED.

23
24 DATED: January 11, 2013

25 
LAUREL BEELER
United States Magistrate Judge